

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

JAY SMITH,	§	
	§	
Plaintiff,	§	
	§	
vs.	§	CIVIL ACTION NO. 3:17-cv-1074-B
	§	
ALLSTATE VEHICLE AND PROPERTY	§	(JURY)
INSURANCE COMPANY,	§	
	§	
Defendant.	§	

**JOINT STIPULATION OF DISMISSAL WITH PREJUDICE**

TO THE HONORABLE UNITED STATES DISTRICT COURT:

COME NOW, Plaintiff Jay Smith and Defendant Allstate Vehicle and Property Insurance Company and file this Joint Stipulation of Dismissal With Prejudice under Federal Rule of Civil Procedure 41(a)(1)(ii) and in support thereof would show the Court as follows:

1. Plaintiff is Jay Smith. Defendant is Allstate Vehicle and Property Insurance Company.
2. Plaintiff filed suit against Defendant for damages under a homeowners' policy arising out of damages which occurred on December 05, 2016.
4. Plaintiff and Defendant have reached a compromise and settlement regarding the claims in this lawsuit. As a result, Plaintiff desires to dismiss with prejudice all claims and causes of action asserted against Defendant. Both Plaintiff and Defendant agree to this dismissal with prejudice.
5. This case is not a class action.
6. A receiver has not been appointed in this action.
7. This case is not governed by any federal statute that requires an order of the court for dismissal of the case.

8. Plaintiff has not dismissed an action based on or including the same claims as those presented in this suit.

9. This dismissal is requested to be with prejudice as to Defendant Allstate Vehicle and Property Insurance Company.

Respectfully submitted,

**Daly & Black, P.C.**

/s/ David L. Bergen  
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**ATTORNEY FOR PLAINTIFF**

AND

**STACY | CONDER | ALLEN LLP**

By: /s/ - David G. Allen  
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**ATTORNEYS FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

On February 19, 2018 I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ - David G. Allen

David G. Allen

DGA/PLDG/599281.1/000003.17083